



STATE OF OKLAHOMA  
ALCOHOLIC BEVERAGE LAWS ENFORCEMENT COMMISSION

MINUTES OF THE ABLE COMMISSION MEETING

December 16, 2022

The filing of the meeting and posting of the agenda were in accordance with the Oklahoma Open Meeting Act. Notice of the meeting was filed with the Secretary of State on October 20, 2021. The agenda was posted on December 14, 2022, on the front and back doors of the 50 Northeast 23<sup>rd</sup> Street building in Oklahoma City, the door of the ABLE Commission's Office Reception area, and the ABLE Commission website.

Chairman Willyard called the meeting to order at 10:00 a.m. at the office of the Alcoholic Beverage Laws Enforcement (ABLE) Commission at 50 Northeast 23<sup>rd</sup> Street, Oklahoma City, OK 73105. A quorum was met with the presence of the following Commission members: James Willyard; Matthew Crook; Andrew Revelis; Keith Mitchell and A. Ainslie Stanford II. The others present were: Tricia Everest, Cabinet Secretary for the Department of Public Safety for the State of Oklahoma; J.B Jarboe, Southern Glazers Wine and Spirits; Jose Almanzar, Homeland; Edward Tuya, Oklahoma Department of Mental Health & Substance Abuse Services; Sidney Lee, Quorum Call; Justin Naifeh, Republic National Distributing Company; Collin Graham, Oklahoma Restaurant Association; Robert Jernigan and Dirk Van Veen, Retail Liquor Association of Oklahoma; Heidi Shadid and James Wilkins, LDF Sales and Distributing/Beer Distributors of Oklahoma; Randy Malone, Attorney; Terrin Tillman, ROCMND Youth Services; Samantha Guinn, Institute for Responsible Alcohol Policy; Spencer Guinn, Quinn Strategies; Lauren Kidwell, Oklahoma Department of Mental Health and Substance Abuse Services; Brett Robinson and April Jolley, Beer Distributors of Oklahoma; Donald Brain; Handcrafted Wines; Todd Dayer, Armanda Distributing; Ellen Spiropoulos, Phillips Murrah; Nathan Huddleston, Pope Distributing/ Beer Distributors of Oklahoma; Gordon Green, Capital Distributing/ Beer Distributors of Oklahoma; Mike Headding, Fisher59/ Beer Distributors of Oklahoma; Matt Jett, Jett Distributing/ Beer Distributors of Oklahoma; Kevin Hitchcock, Hitchcock Distributing; Lori Carter, First Assistant for the Attorney General of the State of Oklahoma; and Eddie Carter, Dillard's. The following ABLE Commission employees attended the meeting: Director Brandon Clabes; Attorney Andrew Koester; Captain Erik Smoot; Captain Greg Bynum; Captain Kent James; Captain Michael Randol; Lieutenant Ray Fells; Senior Agent Vanessa Blain; Enforcement Liaison Kenna Nevez; Executive Secretary Shae Isaacs; and Office Assistant Kimberly Yates.

Director Brandon Clabes introduced Assistant Attorney General for the State of Oklahoma, Thomas Schneider. Mr. Schneider presented to the Commission an informational PowerPoint presentation on the rules and regulations of the Open Meetings Act for the State of Oklahoma.

Commissioner Revelis made a motion to approve the minutes from the November 18, 2022, Commission meeting. Commissioner Stanford seconded the motion. A roll call vote was taken and recorded as follows:

- Chairman James Willyard – Yes
- Commissioner Matthew Crook – Yes
- Commissioner Andrew Revelis – Yes
- Commissioner Keith Mitchell – Yes
- Commissioner A. Ainslie Stanford II – Yes

## EXECUTIVE DIRECTOR'S REPORT:

Director Brandon Clabes provided the following information to the ABLE Commission:

- This month, Director Clabes featured ABLE Commission employee Kimberly Yates for her exceptional work with the agency. Ms. Yates is an administrative assistant in the legal department for ABLE and her biography was read. She was acknowledged for her extraordinary work ethic and assistance with her legal duties.
- Director Clabes met with many different entities, committees and agencies including: Senator Roger Thompson, Cabinet Secretary of Public Safety for the State of Oklahoma Tricia Everest, Department of Public Safety, Oklahoma State Senate, Oklahoma State Bureau of Investigation, Oklahoma Bureau of Narcotics and Dangerous Drugs Control, Oklahoma City YWCA, Oklahoma Office of Management and Enterprise Services, Oklahoma County Sheriff's Association, Healthy Minds Policy Initiative, Council on Law Enforcement Education and Training, International Refugee Assistance Program, Texas Alcohol Beverage Commission, Rose State College Regents meeting, and executives with Accela.
- Commissioner Brooks previously recommended that that the ABLE Commission may need to educate the Oklahoma Sheriff's Association and Oklahoma Association of Chief of Police on documenting and/or forwarding the information to ABLE on any kind of alcohol related violations. Legal counsel Andrew Koester is drafting a fact sheet to supply to those entities and more information will be supplied at a later time.
- Director Clabes started discussed the shared services with the ABLE Commission and Oklahoma State Bureau of Investigations.
- A conditional letter of employment was offered to the First Assistant for the Attorney General, Lori Carter, for the ABLE Commission Deputy Director/General Counsel position. If accepted, she will start on January 9, 2023.
- Director Clabes met with the ABLE Commission Chief Financial Officer, Jennifer Treadwell, and ABLE Legal Counsel, Andrew Koester, to discuss and resolve the issues for enabling the ordinance cities in Oklahoma who have not been reimbursed by the ABLE Commission.
- Director Clabes states that with the next calendar year, he will be focusing on training for ABLE staff and making sure that they have the most up-to-date information.
- Director Clabes continued to attend meetings with alcohol industry leaders, heads of state agencies, ABLE Commission staff and members of the public.
- The next meeting of the ABLE Commission will be in 4 weeks on Friday, January 20, 2023 at 10:00am.

- The Licensing Supervisor and Project Manager, Carla Clanton, presented the Accela IT update. Ms. Clanton stated that that the ABLE Commission has come to an agreement with Accela for managed services in the amount of \$200,00. This agreement will contribute to resolving the issues with the new licensing system. Ms. Clanton also stated that Director Clabes' name and signature has been updated on the report for all of the new licenses that are issued, and renewal notices are being sent out to businesses to renew online. The latest count of registered ABLE licensed users that has registered in the new online system is 86,613.

The Enforcement Report was presented to the Commissioners:

- Assistant Director Fairchild's report was previously supplied to the Commissioners with documentation regarding the entire ABLE Enforcement Division's duties, completed inspections, compliance checks, citations, meetings, trainings and police assistance to other state agencies and businesses.

- The following ABLÉ Commission Captains presented an update of their respective departments and tasks that have been completed since the last Commission meeting: Captain Kent James, Tulsa district; Captain Michael Randol, McAlester district; Captain Scott Smith, Oklahoma City district; Captain Erik Smoot, Alcohol and Tobacco Training Unit; and Captain Greg Bynum, Trade Practices Unit. Captain Erik Smoot gave an update on the upcoming National Conference of State Liquor Administrators conference scheduled for June 11-14, 2023. The conference will be held at the Omni Oklahoma City Hotel.

ABLE Attorney Andrew Koester presented the following legal report to the Commission: Mr. Koester provided more insight into the agreement between ABLÉ and Accela with the Managed Application Services contract. The legal department continues to work with ABLÉ enforcement in an effort to resolve the issues with complaints about businesses selling product below the 6% markup price and inducements. He also gave an overview of the general practices of the legal department regarding violations & citations that have been issued.

The ABLÉ Commission Chief Financial Officer, Jennifer Treadwell, presented a PowerPoint presentation and covered the following topics: payroll expenditures as of 11/30/2022, online refunds issued for November 2022 and the distribution of administrative fines to municipalities.

Chairman Willyard moved to Item #11, comments from the public.  
- Ellen Spiropoulos with Phillips Murrah made a comment regarding the noticed improvement to the Accela licensing system.  
- Dirk Van Veen with the Retail Liquor Association of Oklahoma commented regarding the positive assistance with issues that are being addressed by the ABLÉ Commission.

Chairman Willyard moved on to Item #12, Executive Session to discuss ABLÉ Personnel Action pursuant to 25 O.S. § 307 (B)(1). Commissioner Revelis made a motion to move into Executive Session. Commissioner Stanford seconded the motion. A roll call vote was taken and recorded as follows:

Chairman James Willyard – Yes  
Commissioner Matthew Crook – Yes  
Commissioner Andrew Revelis – Yes  
Commissioner Keith Mitchell – Yes  
Commissioner A. Ainslie Stanford II – Yes

Chairman Willyard called the meeting to order and called for a motion to return from Executive Session. Commissioner Mitchell made the motion to return from Executive Session. Commissioner Crook seconded the motion. A roll call vote was taken and recorded as follows:

Chairman James Willyard – Yes  
Commissioner Matthew Crook – Yes  
Commissioner Andrew Revelis – Yes  
Commissioner Keith Mitchell – Yes  
Commissioner A. Ainslie Stanford II – Yes

No action was taken during Executive Session.

Commissioner Revelis made a motion to adjourn the meeting. Commissioner Stanford seconded the motion. A roll call vote was taken and recorded as follows:

Chairman James Willyard – Yes  
Commissioner Matthew Crook – Yes  
Commissioner Andrew Revelis – Yes  
Commissioner Keith Mitchell – Yes  
Commissioner A. Ainslie Stanford II – Yes

The meeting was then adjourned.



Jonathan Brooks, Vice Chairman